

SENATE JUDICIARY COMMITTEE AMENDMENT NO. 2 (Kyle)

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 2752

House Bill No. 2112*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by adding the following to the end of the amendatory language of Section 1 as a new,
appropriately designated item:

() Any county, having a population greater than seven hundred thousand (700,000) according to the 1970 federal census or any subsequent federal census, which appoints and makes use of judicial commissioners shall maintain records sufficient to allow an annual determination of whether the use of judicial commissioners is accomplishing the purposes intended.

On an annual basis the county legislative body shall conduct a public hearing to examine and evaluate the program of judicial commissioners and to determine if such program is being conducted in accordance with law and is contributing to the orderly, effective and fair administration of justice. As a part of the public hearing the county legislative body shall examine the effectiveness of the system of judicial commissioners and hear the opinions of the public concerning such system. The county legislative body shall give notice of such public hearing at least thirty (30) days prior to such meeting.

Following such hearing and not later than April 1st of each year, the county legislative body shall cause to be submitted to the judges of the general sessions criminal court of the county, the chair of the judiciary committee of the Tennessee state senate and the chair of the judiciary committee of the house of representatives of the state of Tennessee a written report setting forth findings and the overall evaluation of the use of judicial commissioners.

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AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

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